

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Eva Garcia De Rios,

Plaintiff,

v.

Commissioner of Social Security,

Defendant.

No. 1:21-cv-01345-TLN-GSA

ORDER

Plaintiff Eva Garcia De Rios (“Plaintiff”) seeks judicial review of a final decision of the Commissioner of Social Security denying her applications for Social Security Disability Insurance benefits (“SSDI”) and Supplemental Security Income (“SSI”) pursuant to Titles II and XVI of the Social Security Act. On August 5, 2024, the magistrate judge issued findings and recommendations to deny Plaintiff’s motion for summary judgment, to grant Defendant Commissioner of Social Security’s (“Defendant”) cross-motion, and to affirm the final decision of the Commissioner. (ECF No. 28.) On August 16, 2024, Plaintiff filed objections to the findings and recommendations. (ECF No. 29.) On August 23, 2024, Defendant responded to Plaintiff’s objections. (ECF No. 30.)

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602

1 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*.
2 *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

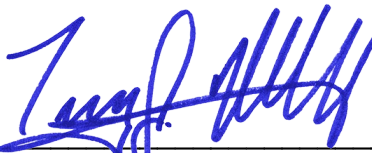
3 The Court has reviewed the file and finds the findings and recommendations to be
4 supported by the record and by the magistrate judge's analysis.

5 Accordingly, IT IS HEREBY ORDERED as follows:

- 6 1. The Findings and Recommendations (ECF No. 28) are ADOPTED IN FULL.
- 7 2. Plaintiff's Motion for Summary Judgment (ECF No. 19) is DENIED.
- 8 3. The Commissioner's cross-motion for summary judgment (ECF No. 21) is
9 GRANTED.
- 10 4. The final decision of the Commissioner of Social Security is affirmed.
- 11 5. The Clerk of Court is directed to enter judgment in favor of Defendant
12 Commissioner of Social Security and against Plaintiff.

13 IT IS SO ORDERED.

14 Date: October 29, 2024

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18 TROY L. NUNLEY
19 CHIEF UNITED STATES DISTRICT JUDGE
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